

REMARKS

I. Status of Claims

Claims 1, 7-16, and 37-39 are pending in this application.

In the present Amendment, claim 1 has been amended to direct to a method for reducing the appearance of dark circles around eyes; claims 12 and 15 have been amended to correct the dependency. Claims 2-6 and 17-36 have been canceled. New claims 37-39 have been added. Support for the amendment of claim 1 and new claims 37-39 can be found in the specification as originally filed. Applicants have not introduced any new matter by the amendments, nor are any estoppels intended thereby.

II. Rejections under § 102

A. § 102(b) Rejection in View of *Stewart*

The Examiner rejects claims 1-17, 22, 24, 29, 30, and 36 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,518,712 to Stewart ("*Stewart*"). Office Action, page 2. This rejection of claims 2-6, 17, 22, 24, 29, 30, and 36 has been rendered moot by the amendment, because those rejected claims have been canceled.

In addition, Applicants respectfully submit that *Stewart* does not anticipate nor render obviousness the pending claims 1, 7-16, and 37-39. Specifically, *Stewart* does not teach or suggest, either explicitly or inherently, the methods as claimed in the pending claims, such as the method for reducing the appearance of dark circles around eyes as recited in, for example, pending claim 1 of the present application. Further, *Stewart* does not teach or suggest, either explicitly or inherently, applying to specific

skin, such as skin with dark circles surrounding the eyes as recited in, for example, pending claim 1 of the present application, a composition comprising at least one copolymer comprising at least one copolymer comprising at least one vinyl pyrrolidone monomeric unit and at least one C₁₀-C₄₀ alkene monomeric unit. Accordingly, Applicants respectfully request that this rejection be withdrawn. Pending claims 1, 7-16, and 37-39 are in condition for allowance.

B. § 102(b) Rejection in View of *Snyder*

The Examiner further rejects claims 1-17, 22, 24, 29, 30, and 36 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,389,363 to Snyder et al. ("*Snyder*"). Office Action, page 3. This rejection of claims 2-6, 17, 22, 24, 29, 30, and 36 has been rendered moot by the amendment, because those rejected claims have been canceled.

In addition, Applicants respectfully submit that *Snyder* does not anticipate nor render obviousness the pending claims 1, 7-16, and 37-39. Specifically, *Snyder* does not teach or suggest, either explicitly or inherently, the methods as claimed in the pending claims, such as the method for reducing the appearance of dark circles around eyes as recited in, for example, pending claim 1 of the present application. Further, *Snyder* does not teach or suggest, either explicitly or inherently, applying to specific skin, such as skin with dark circles surrounding the eyes as recited in, for example, pending claim 1 of the present application, a composition comprising at least one copolymer formed from at least one vinyl pyrrolidone monomer and at least one C₁₀-C₄₀ alkene monomer.

Moreover, "PVP/triacontene" and "Ganex WP 660" are disclosed in *Snyder* as examples of oil soluble synthetic polymers, which can be used in its composition,

among a laundry list of many other kinds of synthetic polymers. See *Snyder*, col. 4, line 55 - col. 5, line 8. There is no suggestion or guidance provided by *Snyder* that would have led one of ordinary skill in the art to pick and choose "PVP/triacontene" or "Ganex WP 660" over any of the other oil soluble synthetic polymers disclosed in *Snyder*.

Accordingly, Applicants respectfully request that this rejection be withdrawn.
Pending claims 1, 7-16, and 37-39 are in condition for allowance.

III. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application, and the timely allowance of the pending claims.

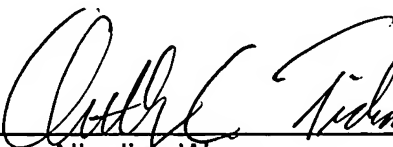
If the Examiner believes a telephone conference would be useful in resolving any outstanding issues, he is invited to call the undersigned Applicants' representative at (202) 408-4218.

If there is any fee due in connection with the filing of this response, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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Date: January 7, 2005

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